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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

WELLS FARGO BANK, N.A. and
FEDERAL NATIONAL MORTGAGE
ASSOCIATION,

Plaintiffs,

v.

CHESTNUT BLUFFS AVENUE TRUST;
NEVADA ASSOCIATION SERVICES,
INC.; COPPER RIDGE COMMUNITY
ASSOCIATION,

Defendants.

Case No.: 2:17-cv-01344-RFB-VCF

**STIPULATION AND ORDER TO
EXTEND DISCOVERY AND TO
EXTEND DISPOSITIVE MOTION
DEADLINE**

(FIRST REQUEST)

Pursuant to Local Rules 6-1 and 7-1, Plaintiffs, Wells Fargo, N.A. and Federal National Mortgage Association (hereinafter “Wells” “Fannie Mae” or “Plaintiffs”) and Defendant, Chestnut Bluffs Avenue Trust (“Trust” or “Defendant”) by and through their respective attorneys of record, file this joint stipulation and request the court to extend the close of discovery by sixty (60) days and to extend the dispositive motion deadlines and joint pretrial order deadlines accordingly. This is the parties’ first request for an extension of all the current discovery deadlines.

I. INTRODUCTION

This dispute involves an HOA foreclosure sale conducted by Defendant, Copper Ridge Association. Plaintiff Wells Fargo, N.A. and Federal National Mortgage Association (hereinafter “Wells” “Fannie Mae” or “Plaintiffs”) seeks to quiet title as to the foreclosed property and seeks

1 other related relief pertaining to the sale of the property. The primary issue is whether Fannie
2 Mae's deed of trust survived the foreclosure sale.

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4 **II. STATEMENT SPECIFYING THE DISCOVERY COMPLETED.**

5 On September 28, 2017, the court entered a Scheduling Order ECF No. 18 and set the
6 following deadlines:

7	Discovery cut-off	June 15, 2018
8	Amend pleadings and add parties	March 16, 2018
9	Expert disclosures	March 16, 2018
10	Rebuttal expert disclosures	April 16, 2018
11	Dispositive Motions	July 16, 2018
12	Pretrial order	August 15, 2018

13 The following discovery has already been completed:

- 14 1. Defendant Copper Ridge Community Association served its initial disclosures on
15 October 19, 2017.
- 16 2. Wells and Fannie Mae served its initial disclosures on Defendant Chestnut Bluffs Avenue
17 Trust on June 6, 2018,
- 18 3. Wells and Fannie Mae served its Initial Expert Disclosure on March 15, 2018
- 19 4. Wells and Fannie Mae propounded written discovery, consisting of First Set of
20 Interrogatories, First Set of Requests for Admissions and First Request for Production of
21 Documents, to Defendant Trust on April 11, 2018.
- 22 5. Defendant Trust responded to Wells and Fannie Mae's First Set of Requests for
23 Admissions, First Set of Interrogatories and First Set of Requests for Production on June
24 14, 2018.
- 25 6. Wells and Fannie Mae conducted the deposition of Defendant Nevada Association
26 Services, Inc's designated 30(b)(6) witness on June 12, 2018.
- 27 7. Wells and Fannie Mae conducted the deposition of Defendant Copper Ridge Community
28 Association's designated 30(b)(6) witness on June 13, 2018.
8. Wells and Fannie Mae conducted the deposition of Defendant Trust's designated 30(b)(6)

1 witness on June 14, 2018.

2 9. Wells and Fannie Mae served its First Supplemental Disclosures on June 15, 2018.

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4 **III. SPECIFIC DESCRIPTION OF THE DISCOVERY THAT HAS NOT BEEN**
5 **COMPLETED.**

6 The following discovery has not been completed:

- 7 1. Defendant Trust has not served its initial disclosures.
- 8 2. Defendant Trust has not propounded written discovery on Wells and Fannie regarding
- 9 pool and CUSIP information concerning the note and deed of trust in question as a result
- 10 of Plaintiffs Initial disclosures.

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12 **IV. REASON WHY EXTENSION IS REQUIRED.**

13 Chestnut Bluffs Avenue Trust has reviewed the disclosures made by Wells Fargo Bank and

14 Federal National Mortgage Association, and they do not contain information which Wells Fargo

15 Bank and Federal National Mortgage Association has disclosed in similar HOA foreclosure cases

16 concerning whether the note secured by the deed of trust here was transferred to a pool of

17 mortgage backed securities.

18 In addition, Chestnut Bluffs Avenue Trust believes that some internal records showing pool

19 and CUSIP information concerning the note and deed of trust in question may exist, but was not

20 included in the information provided by Wells and Fannie Mae. Therefore Chestnut Bluffs

21 Avenue Trust desires 60 days to propound discovery on the omitted pool and CUSIP

22 information.

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25 **V. PROPOSED SCHEDULE FOR COMPLETING ALL REMAINING DISCOVERY.**

26 The parties agree that discovery will be extended sixty (60) days, and the scheduling

27 order deadlines will be extended to the following:

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1
2 Discovery cut-off August 14, 2018
3 Amend pleadings and add parties N/A
4 Expert disclosures N/A
5 Rebuttal expert disclosures N/A
6 Dispositive Motions September 14, 2018
7 Pretrial Order October 15, 2018

8 IT IS SO STIPULATED.

If dispositive motions are filed, the deadline for filing the joint
pretrial order will be suspended until 30 days after
decision on the dispositive motions or further court order.

9 DATED this 18th day of June, 2018.

DATED this 18th day of June, 2018

10 LAW OFFICE OF KERRY P. FAUGHNAN

SNELL & WILMER L.L.P.

11 By: /s/ Kerry P. Faughnan

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Federal National Mortgage Association*

18 **ORDER**

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20 IT IS SO ORDERED.

21 
UNITED STATES MAGISTRATE JUDGE

22 DATED: 6-19-2018

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24 IT IS HEREBY ORDERED that the Motion for Sixty Day Extension
25 of Time to Complete Discovery (ECF No. 33) is DENIED as
26 MOOT.
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